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EXAMINER

AJAYI, JOEL

ART UNIT

PAPER NUMBER

2617

NOTIFICATION DATE

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ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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|------------------------------|--------------------------------------|--------------------------------------|--|
| Office Action Summary | Application No. 10/809,997 | Applicant(s) NANDA, SANJIV | |
| | Examiner JOEL AJAYI | Art Unit 2617 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 June 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Arguments

Applicant's arguments with respect to claims 1-36 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-25, 27-32 are rejected under 35 U.S.C. 102(e) as being unpatentable over **Naghian et al. (U.S. Patent Application Number: 2003/0235175)**.

Consider **claim 1**; Naghian discloses a server terminal (router) configured to operate in a cluster on an ad hoc network backbone of an ad hoc network (paragraph 27, lines 1-7; paragraph 28; paragraph 42, lines 7-16; paragraph 57), comprising:

a user interface configured to transmit and receive communications during a call (receiving and forwarding messages) with a first terminal connected to an ad hoc network backbone (paragraph 28; paragraph 80, lines 3-12); and a processor configured to support an inter-cluster call between second and third terminals by establishing a route on the ad hoc network backbone for each communication packet transmitted from the second terminal to the third terminal (paragraph 27, lines 1-7; paragraph 28; paragraph 80, lines 3-12), wherein (wherein clauses do not require the steps to be performed, MPEP 2106 (II)C) the ad hoc network comprises two clusters, each cluster comprising at least one member terminal slaved to a master

Art Unit: 2617

terminal, and an inter-cluster link formed by an intra-cluster bridge terminal that is a member of both cluster (paragraph 27, lines 1-7; paragraph 28; paragraph 80, lines 3-12).

Consider **claim 2**; Naghian discloses that the processor is further configured to establish the same route for each of the communication packets transmitted from the second terminal to the third terminal during the inter-cluster call for a first type of call, and to establish a different route for at least two of the communication packets transmitted from the second terminal to the third terminal during the inter-cluster call for a second type of call (paragraph 28; paragraph 80, lines 3-12; paragraph 83, lines 1-3).

Consider **claims 3, 15**; Naghian discloses that the processor is further configured to establish the route for each of the communication packets transmitted from the second terminal to the third terminal during the inter-cluster call by constructing a network backbone topology map and selecting the established route based on information in the network backbone topology map (paragraph 27, lines 1-7; paragraph 28; paragraph 80, lines 3-12).

Consider **claims 4, 16**; Naghian discloses that the processor is further configured to select the established route for each of the communication packets transmitted from the second terminal to the third terminal during the inter-cluster call as a function of the number of intermediary clusters between the second and third terminals along the selected established route for such transmission (paragraph 28; paragraph 80, lines 3-12).

Consider **claims 5, 17**; Naghian discloses that the processor is further configured to select the established route for each of the communication packets transmitted from the second terminal to the third terminal during the inter-cluster call as a function of the energy of such transmission (power) (paragraphs 27 and 28).

Consider **claims 6, 18**; Naghian discloses that the processor is further configured to establish the route for each of the communication packets transmitted from the second terminal to the third terminal during the inter-cluster call by mapping the third terminal to a primary route on the ad hoc network backbone to a first adjacent cluster and a secondary route on the ad hoc network backbone to a second adjacent cluster, and selecting the primary route or secondary route (paragraph 80, lines 3-12).

Consider **claims 7, 20**; Naghian discloses that the processor is further configured to select the primary route during a first type of inter-cluster call, and select either the primary or secondary route during a second type of call, the selection of the primary or secondary route being based on the loading of the ad hoc network backbone (paragraph 28; paragraph 80, lines 3-12).

Consider **claims 8, 21**; Naghian discloses that the processor is further configured to establish the route for each of the communication packets transmitted from the second terminal to the third terminal during the inter-cluster call by mapping the first adjacent cluster to a first transmitting gateway and a master terminal for the first transmitting gateway, and mapping the secondary route to a second transmitting gateway and a master terminal for the second transmitting gateway (paragraph 28; paragraph 42, lines 7-16; paragraph 80, lines 3-12).

Consider **claims 9, 22**; Naghian discloses that the processor is further configured to establish the route for each of the communication packets transmitted from the second terminal to the third terminal during the inter-cluster call by communicating with the master terminal mapped to the adjacent cluster corresponding to the selected one of the primary and secondary routes to support intra-cluster scheduling and forwarding of such communication packet from the

Art Unit: 2617

second terminal to the transmitting gateway mapped to such corresponding adjacent cluster (paragraph 28; paragraph 42, lines 7-16; paragraph 80, lines 3-12).

Consider **claims 10, 23**; Naghian discloses that the processor is further configured to establish the route for each of the communication packets transmitted from the second terminal to the third terminal during the inter-cluster call using a network address assigned to third terminal, and received from the network backbone in response to a location request (paragraph 65; paragraph 80, lines 3-12).

Consider **claims 11, 24**; Naghian discloses that the processor is further configured to establish the route for each of the communication packets transmitted from the second terminal to the third terminal during the inter-cluster call using a network address assigned to third terminal, and stored in the cache (paragraph 65; paragraph 80, lines 3-12).

Consider **claim 12**; Naghian discloses a method of communications on a server terminal (router) configured to operate in a cluster on an ad hoc network backbone (paragraph 27, lines 1-7; paragraph 28; paragraph 42, lines 7-16; paragraph 57), comprising:

Transmitting and receiving communications at the server terminal during a call (receiving and forwarding messages) with a first terminal connected to an ad hoc network backbone of an ad hoc network (paragraph 27, lines 1-7; paragraph 28; paragraph 80, lines 3-12); and supporting an inter-cluster call between second and third terminals by establishing a route on the ad hoc network backbone for each communication packet transmitted from the second terminal to the third terminal (paragraph 27, lines 1-7; paragraph 28; paragraph 80, lines 3-12), wherein (wherein clauses do not require the steps to be performed, MPEP 2106 (II)C) the ad hoc network comprises two clusters, each cluster comprising at least one member terminal slaved to a master

Art Unit: 2617

terminal, and an inter-cluster link formed by an intra-cluster bridge terminal that is a member of both cluster (paragraph 27, lines 1-7; paragraph 28; paragraph 80, lines 3-12).

Consider **claim 13**; Naghian discloses that the same route is established for each of the communication packets transmitted from the second terminal to the third terminal during the inter-cluster call (paragraph 80, lines 3-12).

Consider **claim 14**; Naghian discloses that a different route is established for at least two of the communication packets transmitted from the second terminal to the third terminal during the inter-cluster call (paragraph 80, lines 3-12).

Consider **claim 19**; Naghian discloses that the primary route is selected for each of the communication packets transmitted from the second terminal to the third terminal during the inter-cluster call (paragraph 28; paragraph 80, lines 3-12).

Consider **claim 25**; Naghian discloses a server terminal (router) configured to operate in a cluster on an ad hoc network backbone (paragraph 27, lines 1-7; paragraph 28; paragraph 42, lines 7-16; paragraph 57), comprising:

Means for a user to participate in a call (receiving and forwarding messages) with a first terminal connected to an ad hoc network backbone of an ad hoc network (paragraph 28; paragraph 80, lines 3-12); and means for establishing a route on the ad hoc network backbone for each communication packet transmitted from a second terminal to a third terminal during an inter-cluster call (paragraph 80, lines 3-12), wherein (wherein clauses do not require the steps to be performed, MPEP 2106 (II)C) the ad hoc network comprises two clusters, each cluster comprising at least one member terminal slaved to a master terminal, and an inter-cluster link

Art Unit: 2617

formed by an intra-cluster bridge terminal that is a member of both cluster (paragraph 27, lines 1-7; paragraph 28; paragraph 80, lines 3-12).

Consider **claim 27**; Naghian discloses that the processor establishes a route on the ad hoc network backbone between an inter-cluster bridge terminal in a first cluster and inter-cluster bridge terminal in a second network (paragraph 28; paragraph 80, lines 3-12).

Consider **claim 28**; Naghian discloses that the inter-cluster bridge terminals are Address, Location, and Route (ALR) servers (routers) (paragraph 27, lines 1-7; paragraph 28; paragraph 65; paragraph 80, lines 3-12).

Consider **claim 29**; Naghian discloses that establishing a route on the ad hoc network includes establishing a between an inter-cluster bridge terminal in a first cluster and inter-cluster bridge terminal in a second network (paragraph 28; paragraph 80, lines 3-12).

Consider **claim 30**; Naghian discloses that establishing a route between an inter-cluster bridge terminal in the first cluster and inter-cluster bridge terminal in the second network includes establishing a route between Address, Location, and Route (ALR) servers (routers) (paragraph 27, lines 1-7; paragraph 28; paragraph 65; paragraph 80, lines 3-12).

Consider **claim 31**; Naghian discloses at least one processor for communications on a server terminal (router) configured to operate in a cluster on an ad hoc network backbone (paragraph 27, lines 1-7; paragraph 28; paragraph 42, lines 7-16; paragraph 57), comprising:

A first module for transmitting and receiving communications at the server terminal during a call with a first terminal connected to an ad hoc network backbone of an ad hoc network (paragraph 28; paragraph 80, lines 3-12); a second module for supporting an inter-cluster call between second and third terminals by establishing a route on the ad hoc network backbone for

Art Unit: 2617

each communication packet transmitted from the second terminal to the third terminal (paragraph 28; paragraph 80, lines 3-12), wherein (wherein clauses do not require the steps to be performed, MPEP 2106 (II)C) the ad hoc network comprises two clusters, each cluster comprising at least one member terminal slaved to a master terminal, and an inter-cluster link formed by an intra-cluster bridge terminal that is a member of both cluster (paragraph 27, lines 1-7; paragraph 28; paragraph 80, lines 3-12).

Consider **claim 32**; Naghian discloses a computer program product for communications on a server terminal (router) configured to operate in a cluster on an ad hoc network backbone (paragraph 27, lines 1-7; paragraph 28; paragraph 42, lines 7-16; paragraph 57), comprising:

A computer-readable storage medium comprising: a first set of codes for causing a computer to transmit and receive communications at the server terminal during a call with a first terminal connected to an ad hoc network backbone of an ad hoc network (paragraph 28; paragraph 80, lines 3-12); a second set of codes for causing a computer to support an inter-cluster call between second and third terminals by establishing a route on the ad hoc network backbone for each communication packet transmitted from the second terminal to the third terminal (paragraph 28; paragraph 80, lines 3-12), wherein (wherein clauses do not require the steps to be performed, MPEP 2106 (II)C) the ad hoc network comprises two clusters, each cluster comprising at least one member terminal slaved to a master terminal, and an inter-cluster link formed by an intra-cluster bridge terminal that is a member of both cluster (paragraph 27, lines 1-7; paragraph 28; paragraph 80, lines 3-12).

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 26, 33-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Naghian et al.** (U.S. Patent Application Number: 2003/0235175) in view of **Juitt et al.** (U.S. Patent Number: 7,042,988).

Consider **claim 26**; Naghian discloses a method of communications on a primary server terminal configured to serve a plurality of terminal in a cluster on an ad hoc network backbone

Art Unit: 2617

(paragraph 27, lines 1-7; paragraph 28; paragraph 42, lines 7-16; paragraph 57), the method comprising:

Using the primary server terminal to support a plurality of inter-cluster calls for a number of the terminals in the cluster by establishing a route on an ad hoc network backbone for each of the communication packets transmitted by each of the terminals engaged in one of the inter-cluster calls (paragraph 28; paragraph 80, lines 3-12); dynamically designating one of the terminals in the cluster as a backup server terminal in accordance to an ad hoc protocol (handover capability, service availability) (paragraph 27, lines 1-5; paragraph 28); wherein (wherein clauses do not require the steps to be performed, MPEP 2106 (II)C) the ad hoc network comprises two clusters, each cluster comprising at least one member terminal slaved to a master terminal, and an inter-cluster link formed by an intra-cluster bridge terminal that is a member of both cluster (paragraph 27, lines 1-7; paragraph 28; paragraph 80, lines 3-12).

Except: detecting a server terminal failure; and processing a message received at the backup server terminal, the message being addressed to the primary server terminal.

In an analogous art, Juitt discloses detecting a server terminal failure (column 5, lines 5-25; column 17, lines 14-37); and processing a message received at the backup server terminal, the message being addressed to the primary server terminal (column 5, lines 5-25; column 17, lines 14-37).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teaching of Naghian by including the processing of a server terminal failure, as taught by Juitt, for the purpose of efficiently managing data traffic in wireless networks.

Consider **claim 33**; Naghian discloses at least one processor for communications on a primary server terminal configured to serve a plurality of terminal in a cluster on an ad hoc network backbone (paragraph 27, lines 1-7; paragraph 28; paragraph 42, lines 7-16; paragraph 57), the method comprising:

A first module for using the primary server terminal to support a plurality of inter-cluster calls for a number of the terminals in the cluster by establishing a route on an ad hoc network backbone for each of the communication packets transmitted by each of the terminals engaged in one of the inter-cluster calls (paragraph 28; paragraph 80, lines 3-12); a second module for dynamically designating one of the terminals in the cluster as a backup server terminal in accordance to an ad hoc protocol (handover capability, service availability) (paragraph 27, lines 1-5; paragraph 28); wherein (wherein clauses do not require the steps to be performed, MPEP 2106 (II)C) the ad hoc network comprises two clusters, each cluster comprising at least one member terminal slaved to a master terminal, and an inter-cluster link formed by an intra-cluster bridge terminal that is a member of both cluster (paragraph 27, lines 1-7; paragraph 28; paragraph 80, lines 3-12).

Except: a third module for detecting a server terminal failure; and a fourth module for processing a message received at the backup server terminal, the message being addressed to the primary server terminal.

In an analogous art, Juitt discloses a third module for detecting a server terminal failure (column 5, lines 5-25; column 17, lines 14-37); and a fourth module for processing a message received at the backup server terminal, the message being addressed to the primary server terminal (column 5, lines 5-25; column 17, lines 14-37).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teaching of Naghian by including the processing of a server terminal failure, as taught by Juitt, for the purpose of efficiently managing data traffic in wireless networks.

Consider **claim 34**; Naghian discloses a computer program product for communications on a server terminal (router) configured to serve a plurality of terminals in a cluster on an ad hoc network backbone (paragraph 27, lines 1-7; paragraph 28; paragraph 42, lines 7-16; paragraph 57), the method comprising:

A computer-readable storage medium comprising: a first set of codes for causing a computer to use the primary server terminal to support a plurality of inter-cluster calls for a number of the terminals in the cluster by establishing a route on an ad hoc network backbone for each of the communication packets transmitted by each of the terminals engaged in one of the inter-cluster calls (paragraph 28; paragraph 80, lines 3-12); a second set of codes for causing a computer to dynamically designate one of the terminals in the cluster as a backup server terminal in accordance to an ad hoc protocol (handover capability, service availability) (paragraph 27, lines 1-5; paragraph 28); wherein (wherein clauses do not require the steps to be performed, MPEP 2106 (II)C) the ad hoc network comprises two clusters, each cluster comprising at least one member terminal slaved to a master terminal, and an inter-cluster link formed by an intra-cluster bridge terminal that is a member of both cluster (paragraph 27, lines 1-7; paragraph 28; paragraph 80, lines 3-12).

Except: a third set of codes for causing a computer to detect a server terminal failure; and a fourth set of codes for causing a computer to process a message received at the backup server terminal, the message being addressed to the primary server terminal.

In an analogous art, Juitt discloses a third set of codes for causing a computer to detect a server terminal failure (column 5, lines 5-25; column 17, lines 14-37); and a fourth set of codes for causing a computer to process a message received at the backup server terminal, the message being addressed to the primary server terminal (column 5, lines 5-25; column 17, lines 14-37).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teaching of Naghian by including the processing of a server terminal failure, as taught by Juitt, for the purpose of efficiently managing data traffic in wireless networks.

Consider **claim 35**; Naghian discloses an apparatus for communications on a primary server terminal configured to serve a plurality of terminal in a cluster on an ad hoc network backbone (paragraph 27, lines 1-7; paragraph 28; paragraph 42, lines 7-16; paragraph 57), the method comprising:

Means for using the primary server terminal to support a plurality of inter-cluster calls for a number of the terminals in the cluster by establishing a route on an ad hoc network backbone for each of the communication packets transmitted by each of the terminals engaged in one of the inter-cluster calls (paragraph 28; paragraph 80, lines 3-12); means for dynamically designating one of the terminals in the cluster as a backup server terminal in accordance to an ad hoc protocol (handover capability, service availability) (paragraph 27, lines 1-5; paragraph 28); wherein (wherein clauses do not require the steps to be performed, MPEP 2106 (II)C) the ad hoc

Art Unit: 2617

network comprises two clusters, each cluster comprising at least one member terminal slaved to a master terminal, and an inter-cluster link formed by an intra-cluster bridge terminal that is a member of both cluster (paragraph 27, lines 1-7; paragraph 28; paragraph 80, lines 3-12).

Except: means for detecting a server terminal failure; and means for processing a message received at the backup server terminal, the message being addressed to the primary server terminal.

In an analogous art, Juitt discloses means for detecting a server terminal failure (column 5, lines 5-25; column 17, lines 14-37); and means for processing a message received at the backup server terminal, the message being addressed to the primary server terminal (column 5, lines 5-25; column 17, lines 14-37).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teaching of Naghian by including the processing of a server terminal failure, as taught by Juitt, for the purpose of efficiently managing data traffic in wireless networks.

Consider **claim 36**; Naghian discloses a method of communications on a primary server terminal (router) configured to serve a plurality of terminal in a cluster on an ad hoc network backbone (paragraph 27, lines 1-7; paragraph 28; paragraph 42, lines 7-16; paragraph 57), the method comprising:

A primary server terminal used to support a plurality of inter-cluster calls for a number of the terminals in the cluster by establishing a route on an ad hoc network backbone for each of the communication packets transmitted by each of the terminals engaged in one of the inter-cluster calls (paragraph 28; paragraph 42, lines 7-16; paragraph 80, lines 3-12); a processor for

Art Unit: 2617

dynamically designating one of the terminals in the cluster as a backup server terminal in accordance to an ad hoc protocol (handover capability, service availability) (paragraph 27, lines 1-5; paragraph 28; paragraph 80, lines 3-12); wherein (wherein clauses do not require the steps to be performed, MPEP 2106 (II)C) the ad hoc network comprises two clusters, each cluster comprising at least one member terminal slaved to a master terminal, and an inter-cluster link formed by an intra-cluster bridge terminal that is a member of both cluster (paragraph 27, lines 1-7; paragraph 28; paragraph 80, lines 3-12).

Except: detecting a server terminal failure; and processing a message received at the backup server terminal, the message being addressed to the primary server terminal.

In an analogous art, Juitt discloses detecting a server terminal failure (column 5, lines 5-25; column 17, lines 14-37); and processing a message received at the backup server terminal, the message being addressed to the primary server terminal (column 5, lines 5-25; column 17, lines 14-37).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teaching of Naghian by including the processing of a server terminal failure, as taught by Juitt, for the purpose of efficiently managing data traffic in wireless networks.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Joel Ajayi whose telephone number is (571) 270-1091. The Examiner can normally be reached on Monday-Thursday from 7:30am to 5:00pm and Friday 7:30am to 4:00 pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Lester Kincaid can be reached on (571) 272-7922. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR

Art Unit: 2617

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

Joel Ajayi

/Lester Kincaid/
Supervisory Patent Examiner, Art Unit 2617